

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

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AUTHORITY: Authorized by Section 2-104(b) of, and implementing Chapters 3 and 5 of, the Illinois Vehicle Code [625 ILCS 5].

SOURCE: Filed and effective December 15, 1970; emergency amendment at 2 Ill. Reg. 25, p. 119, effective June 14, 1978, for a maximum of 150 days; amended at 3 Ill. Reg. 12, p. 76, effective March 23, 1979; amended at 3 Ill. Reg. 29, p. 123, effective July 20, 1979; amended at 4 Ill. Reg. 17, p. 247, effective April 11, 1980; emergency amendment at 4 Ill. Reg. 21, p. 99, effective May 14, 1980, for a maximum of 150 days; amended at 6 Ill. Reg. 2241, effective February 1, 1982; amended at 6 Ill. Reg. 11076, effective August 26, 1982; codified at 6 Ill. Reg. 12674; amended at 7 Ill. Reg. 1432, effective January 21, 1983; amended at 7 Ill. Reg. 1436, effective January 21, 1983; amended at 8 Ill. Reg. 5329, effective April 6, 1984; amended at 9 Ill. Reg. 3358, effective March 1, 1985; amended at 9 Ill. Reg. 9176, effective May 30, 1985; amended at 9 Ill. Reg. 12863, effective August 2, 1985; amended at 9 Ill. Reg. 14711, effective September 13, 1985; amended at 10 Ill. Reg. 1243, effective January 6, 1986; amended at 10 Ill. Reg. 4245, effective February 26, 1986; amended at 10 Ill. Reg. 14308, effective August 19, 1986; recodified at 11 Ill. Reg. 15920; amended at 12 Ill. Reg. 14711, effective September 15, 1988; amended at 12 Ill. Reg. 15193, effective September 15, 1988; amended at 13 Ill. Reg. 1598, effective February 1, 1989; amended at 13 Ill. Reg. 5173, effective April 1, 1989; amended at 13 Ill. Reg. 7965, effective May 15, 1989; amended at 13 Ill. Reg. 15102, effective September 15, 1989; amended at 14 Ill. Reg. 4560, effective March 1, 1990; amended at 14 Ill. Reg. 6848, effective April 18, 1990; amended at 14 Ill. Reg. 9492, effective June 1, 1990; amended at 14 Ill. Reg. 19066, effective November 15, 1990; amended at 15 Ill. Reg. 12782, effective August 15, 1991; amended at 16 Ill. Reg. 12587, effective August 1, 1992; amended at 19 Ill. Reg. 11947, effective August 1, 1995; amended at 19 Ill. Reg. 16289, effective November 27, 1995; amended at 20 Ill. Reg. 11349, effective August 1, 1996; amended at 21 Ill. Reg. 8408, effective June 23, 1997; amended at 21 Ill. Reg. 13372, effective September 17, 1997; amended at 22 Ill. Reg. 8521, effective April 28, 1998; amended at 22 Ill. Reg. 22059, effective January 1, 1999; amended at 25 Ill. Reg. 7731, effective June 6, 2001; emergency amendment at 25 Ill. Reg. 14201, effective October 22, 2001, for a maximum of 150 days; emergency expired March 20, 2002; amended at 26 Ill. Reg. 14282, effective September 16, 2002; amended at 27 Ill. Reg. 4790, effective February 27, 2003; amended at 29 Ill. Reg. 8915, effective June 10, 2005; amended at 31 Ill. Reg. 2668, effective January 29, 2007; amended at 32 Ill. Reg. 17253, effective October 15, 2008; amended at 32 Ill. Reg. 17590, effective October 16, 2008; amended at 34 Ill. Reg. 3673, effective March 5, 2010; amended at 34 Ill. Reg. 10202, effective June 29, 2010; amended at 35 Ill. Reg. 1652, effective January 13, 2011; amended at 35 Ill. Reg. 8240, effective May 16, 2011; amended at 36 Ill. Reg. 7674, effective May 2, 2012; amended at 36 Ill. Reg. 14745, effective September 24, 2012; amended at 36 Ill. Reg. 17094, effective November 20, 2012; emergency amendment at 36 Ill. Reg. 17580, effective November 28, 2012, for a maximum of 150 days; amended at 37 Ill. Reg. 4340, effective March 22, 2013; amended at 37 Ill. Reg. 8941, effective June 14, 2013; amended at 37 Ill. Reg. 12578, effective July 17, 2013; amended at 39 Ill. Reg. 5106, effective March 20, 2015; amended at 42 Ill. Reg. 212, effective December 19, 2017; amended at 42 Ill. Reg. 14450, effective July 23, 2018; amended at 43 Ill. Reg. 3945, effective March 15, 2019; amended at 44 Ill. Reg. 2014, effective December 31, 2019; emergency amendment at 44 Ill. Reg. 5831, effective March 17, 2020, for a maximum of 150 days; emergency amendment to emergency rule at 44 Ill. Reg. 6641, effective April 9, 2020,

for the remainder of the 150 days; emergency amendment effective March 17, 2020, as amended April 9, 2020, repealed at 44 Ill. Reg. 11595, effective June 30, 2020; emergency amendment at 44 Ill. Reg. 11890, effective June 30, 2020, for a maximum of 150 days; amended at 44 Ill. Reg. 16487, effective September 25, 2020; amended at 44 Ill. Reg. 17440, effective October 19, 2020; emergency amendment at 45 Ill. Reg. 1369, effective January 12, 2021, for a maximum of 150 days; amended at 45 Ill. Reg. 6054, effective April 22, 2021; emergency amendment at 45 Ill. Reg. 6794, effective May 6, 2021, for a maximum of 150 days; emergency amendment to emergency rule at 45 Ill. Reg. 6862, effective May 24, 2021 for the remainder of 150 days; emergency amendment at 45 Ill. Reg. 11690, effective September 9, 2021, for a maximum of 150 days; amended at 46 Ill. Reg. _____, effective _____.

SUBPART F: FEES

Section 1010.540 Fees

- a) Over-the-Counter Sales Program
In addition to any fee set forth in subsection (b), an entity participating in the over-the-counter program may charge an applicant for motor vehicle renewal license plates and/or stickers \$9.50. No additional charge shall be imposed upon the applicant by any such person, firm, corporation or private institution, or its authorized agent for distribution of motor vehicle renewal license plates and/or stickers. The term Financial Institution, for the purposes of this Section, shall mean any federal or State chartered bank, savings and loan, credit union, armored carrier, and any currency exchange either directly or indirectly through an armored carrier.
- b) Electronic Registration and Titling
 - 1) Vendors participating in the Electronic Registration and Titling (ERT) program may charge customers a fee for the optional service of electronically processing their vehicle titling and registration or data and for providing registration plates or stickers. The maximum fee to be imposed upon a customer utilizing the ERT services shall be ~~\$35~~\$25, in addition to any other fee permitted by law or rule. However, if the ERT services are used solely for renewing vehicle registrations, the maximum fee imposed shall be that set forth in subsection (a). ~~The actual ERT fee allowed to be charged by vendors shall be set out in the agreement between the Secretary of State and the ERT service provider and in the agreements between the ERT service provider and the vendors.~~ One of the two following methods shall be used to identify the fee:
 - A) the fee shall be identified on the bill of sale, receipt or any other sales documents as "Optional ERT Fee". The "Optional ERT Fee"

language shall be distinguished from other language with the use of bold, colored, italic or underscored type or by using a larger font, but in no case may the font size be smaller than that required by the Motor Vehicle Retail Installment Sales Act [815 ILCS 375]. If this method is used, not later than July 1, 2006, all pre-printed bills of sale, receipts or other sales documents shall identify the fee as "Optional ERT Fee" in bold type; or

B) the fee shall be identified on a separate document, including the phrase "Optional Electronic Registration Fee", using a font size not smaller than that required by the Motor Vehicle Retail Installment Sales Act and with a signature line indicating the customer's acceptance or rejection of the option of paying the fee.

2) A service provider may charge vendors up to ~~\$14~~~~\$10~~ for each ERT transaction. The maximum ERT fee to be imposed on the customer may not exceed the amount actually charged by the service provider to the vendor plus an amount equal to 1.5 times the amount actually charged by the service provider to the vendor, and, therefore, the maximum fee to be imposed upon a customer utilizing the ERT services shall be ~~\$35~~~~\$25~~, in addition to any other fee permitted by statute or rule.

(Source: Amended at 46 Ill. Reg. _____, effective _____)